



Isle of Man
Government

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Pre-application Advice Service

Department of Environment, Food and Agriculture

Planning and Building Control Directorate Murray House

What is Pre-Application Advice?

Pre-application advice is a means by which Planning Officers, where necessary in consultation with other parts of Government, can help guide applicants through the planning application process, whether they are householders who wish to carry out modest changes to their home, or developers embarking on a large scale project.

Purpose of the Service

It is a discretionary and free service which aims to:

- help customers identify the issues relevant to their proposal;
- improve the overall quality of applications; and
- reduce the number of applications for unacceptable proposals.

It can achieve these aims by:

- helping to identify issues at an early stage;
- advising on which national and local planning policies will be relevant;
- advising on what information is likely to be needed with an application;
- identifying the need for specialist input, for example where proposals involve a Registered Building, trees, landscape impact, agricultural need, transport, noise, contaminated land, ecology or archaeology;
- providing opportunity to improve a proposal with professional input from Officers;
- potentially resolving issues earlier which, where our advice is fully taken into account, may make the application process quicker and smoother; and
- indicating where a proposal is completely unacceptable, saving customers the cost of submitting a formal application.

It is not the purpose of pre-application advice to give certainty as to the outcome of an application because the only means by which a proposal can be properly tested is through the planning application process itself.

Scope of the Service

Our responsibility is to provide customers with impartial planning advice. It is not the role of Planning Officers to act as agent, advocate or planning consultant for an individual, business or organisation, or to promote a proposal. This is because the function of the Planning Authority is to make planning decisions in the wider public interest. Customers who may not have any specific experience in planning may wish to appoint their own agent (a planning agent, architect, architectural technician or other representative) to act on their behalf.

Although the following is not intended to be a definitive list, the typical matters that might be discussed as part of a pre-application enquiry include:

- the need for planning approval;
- advice on the planning issues relevant to the consideration of the proposal;
- information on relevant national and local planning policies which will be used to assess the proposal;
- technical standards likely to be applicable e.g. size and number of parking spaces required;
- the information that should be submitted with the planning application;
- how the applicant can identify constraints, including Conservation Areas, Registered Buildings, Ancient Monuments, areas liable to flood and areas that are subject to other statutory designations such as landscape quality or ecological areas;
- indication of the likely requirement for financial or other types of contributions from the developer, such as affordable housing and open space provision;
- the requirement, or otherwise, for Environment Impact Assessment;
- advice on which other parts of Government should be included in pre-application discussions;
- the planning history (copies of relevant decisions can be made available subject to payment of the appropriate copying fee - the planning history will not constitute a formal land search and the information given will be restricted to that which is relevant to the enquiry);
- advice on the planning process including the procedure, fee, consultation and general process for the determination of an application; and
- copies of maps subject to the conditions of the licence held by the Department and to payment of the appropriate fee.

How we deal with Pre-application enquiries

Pre-application advice is a discretionary service provided alongside our statutory work. As a result, our ability to respond to pre-application enquiries is therefore limited by these other work commitments and so we will generally prioritise pre-application enquiries that align with Government and community objectives, namely:

- proposals of Island-wide strategic importance
- significant economic development
- regeneration
- major housing sites
- affordable housing
- registered Buildings
- community projects; and
- infrastructure.

Planning Officers operate on an area basis and when a request for pre-application advice is received it is normally assigned to one of the Officers in either the North or South teams, although more straightforward queries may be dealt with by the Duty Planner on any given day. It is important that enquiries are not sent directly to the Officers because we need to keep a record of pre-application requests for administrative purposes and to assign enquiries according to Officer capacity. Numerous requests to different Officers creates additional work and reduces our abilities to respond efficiently.

We will not normally visit the site at the pre-application stage. We will respond to any questions raised based on the information provided as part of the query and, if appropriate, a desktop assessment of the proposal. Our customers should be aware of this when considering the context within which the pre-application advice is given. This emphasises the importance of providing as much information as possible with the enquiry, including site photographs. Pre-application meetings may be held where the application meets the above criteria and where it is expedient to the pre-application process to meet face to face.

We will generally provide a response to a pre-application enquiry in writing. To be fair to all our customers, and in order to be able to field as many enquiries as practicable, we reserve the right to provide only one substantive response to each enquiry. We are unable to commit to providing a full response within a certain timeframe because this is dependent on the complexity of the enquiry, the prioritisation that it is given having regard to objectives, and the capacity of the Planning Officers at the time. However, we will aim to provide a written reply, if only a preliminary response, within 10 working days of the pre-application enquiry being received.

Householder Proposals

For proposals relating to a residential dwelling, such as an extension, conservatory, garage, garden shed or satellite dish, an interactive website to help our customers establish whether they need planning approval is available at: <http://www.myhouse.im/> Where planning approval is required, we will advise our customers of the main issues relevant to their proposal, an indication of the relevant planning policies, and broad feedback as to whether the proposal might be acceptable. We will normally then advise members of the public to appoint an agent to help them develop their proposal and guide them through the application process.

How to submit a pre-application enquiry

Requests for pre-application advice should be made in writing. We encourage enquiries to be submitted by email because it is both quicker and more cost effective, and will allow us to deal with the request more efficiently. However, we realise that some customers do not have access to the Internet and prefer to send correspondence by post. Contact details of where to send pre-application requests can be found at www.gov.im/planningpreapp

Generally, the more information provided with the enquiry the better. It allows us to provide a greater level of feedback and to provide a response more quickly. To help us help our customers, requests for pre-application advice should normally be accompanied by the following information:

- Full contact details, including a telephone number and e-mail address;
- Description of the proposals;
- Explanation of the proposals and what you are trying to achieve;
- Site location plan and site layout;
- Sketch drawings including elevations and floor plans (if applicable);
- Description of the site (including its existing use) and any particular site characteristics, e.g. level changes;
- Details of any known planning history;
- Photographs of the site and immediate surroundings;
- Any known constraints to development; and
- Technical studies (if available), e.g. ecological or traffic impact assessments.

What weight will be given to pre-application advice?

The pre-application advice that Planning Officers give represents their own professional opinion based on the information supplied. Any views or opinions expressed are given without prejudice to the formal consideration of a planning application following statutory public consultation. It is possible that the consultation process will raise new issues that haven't been identified before.

Once an application is submitted it will be allocated to an officer. Depending on wider workloads and whether the advice was provided by a Planning Officer acting as Duty Planner it may be that a different officer to that one that provided pre-application advice is allocated as the Case Officer for the application. The Case Officer will make a recommendation and, for more straight forward applications a determination is made by the Head of Development Management or a Senior Planner. To ensure that the review/determination of an application under delegated powers provides an appropriate level of scrutiny, officers who have provided pre-application advice on a scheme will not determine the application, even if they have not acted as the Case Officer. More complex/controversial applications are determined by the Planning Committee or Council of Ministers.

Customers should therefore be aware that Officers cannot give guarantees about the final formal decision that will be made on a planning or other type of application. It is not the role of pre-application advice to give guarantees as to the outcome of an application or assurances as to what the Planning Officer's recommendation will be. Ultimately, the only way to obtain certainty as to the acceptability of a proposal is to formally submit an application as it is the application process itself that is the only means by which the proposal can be fully assessed.